

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

2015 DEC 23 PM 1:30
 CLERK, U.S. DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
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UNITED STATES OF AMERICA,)	CRIMINAL NO.:
)	SA: 15-MJ-1071 PMA
Plaintiff)	
)	
v.)	
)	
SANDRA GARCIA,)	
)	
Defendant)	

PROBABLE CAUSE AFFIDAVIT

I, Vernon White III, am a Detective for the Air Force Security Forces Investigations section at Joint Base San Antonio-Lackland, Texas, and having read and reviewed the Report of Investigation and investigation file pertaining to Sandra Garcia, to include the statements submitted by the Security Forces personnel who responded to the incident, hereby state and depose as follows:

The Defendant's misconduct occurred at Joint Base San Antonio-Lackland, Texas, in the Western District of Texas, and within the Special Maritime and Territorial jurisdiction of the United States.

On November 26, 2015, at approximately 11:50 p.m. at installation Gate-2, SrA Keith Dickens observed a blue Saturn sedan slowly approaching the gate and then stopping for several seconds before slowly inching forward to the yellow gate barrier. SrA Dickens made contact with the driver of the vehicle, who was later identified as Sandra Garcia (hereafter "subject") and observed that she seemed confused, incoherent, spoke with slurred speech and emitted an odor of alcohol. SrA Dickens instructed the subject to turn off her vehicle; however, the subject refused and drove forward slowly as SSgt Philip Hernandez approached the vehicle. After ordering the subject to shut off the vehicle several more times she finally complied. It appeared the vehicle may have recently been involved in a minor accident, as the front grill was smoking, the driver's side mirror was visibly hanging by the wires, the passenger side mirror was missing completely, and the entire length of the passenger side of the vehicle was scraped.

SSgt Philip Hernandez conducted Pre-Exit Tests and asked the subject to count backwards from 69 to 48 to which she attempted and stopped at 43, laughed and said she just wanted to go home. When asked to say the alphabet G through O but she blankly looked at SSgt Hernandez, smiled and said all she wanted to do was go home to sleep. The subject was

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instructed to exit the vehicle and stated to Officer Roderick Simms she was "drunk and was not going to lie" and as she spoke she swayed visibly, had the smell of alcoholic beverage emanating from her person. Standard Field Sobriety Tests were initiated. The Horizontal Gaze Nystagmus (HGN) test was administered and resulted in six indicators of intoxication. The Walk and Turn test resulted in eight clues of intoxication, including starting the test before being instructed to do so, miscounting steps, not touching heel to toe, walking off the line, losing balance, and taking too many steps. The subject refused to perform the One Leg Raise test. Inspection of the vehicle revealed an open can of "Bud Light" beer in the center console.

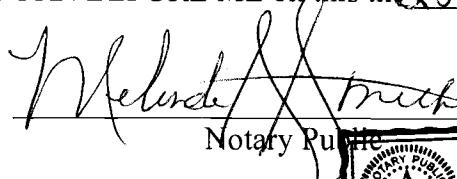
The subject was transported to the Base Defense Operations Center for further processing where she was advised of her rights and agreed to provide a sample of her breath; however, after the required twenty minute waiting period she refused to provide the sample.

The foregoing is true and correct to the best of my knowledge, information and belief.

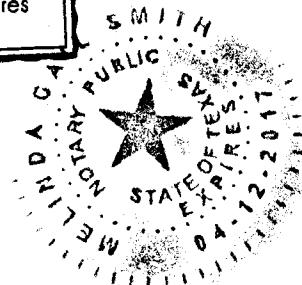
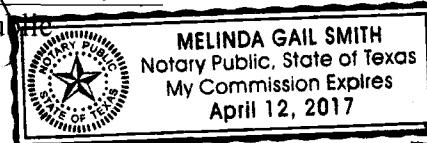


Vernon White III, Detective
Chief, Air Force Security Forces Investigations

SUBSCRIBED TO AND SWORN BEFORE ME on this the 23rd day of December 2015
2015.



Melinda Gail Smith
Notary Public



Probable cause found: X

No probable cause found: _____

DATE: 12/23/2015



Vernon White III
UNITED STATES MAGISTRATE JUDGE